



U.S. Department of Justice

*United States Attorney
Southern District of New York*

86 Chambers Street
New York, New York 10007

April 13, 2023

BY E-MAIL

Honorable Denise L. Cote
United States District Judge
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street
New York, NY 10007

CASE UNDER SEAL

Re: United States ex rel. Corcoran v. Bank of America Corp., et al.,
22 Civ. 7136 (DLC) **(Filed Under Seal)**

Dear Judge Cote:

This Office represents the United States (the “Government”) in the above-referenced *qui tam* action brought pursuant to the False Claims Act, as amended, 31 U.S.C. §§ 3729-3733 (the “FCA”). On March 10, 2023, the Government submitted to the Court a Notice of Election to Decline Intervention in this matter, and on March 10, 2023, the Court issued an Order unsealing this matter and providing that should the relator propose to dismiss the action, he will solicit the written consent of the Government before applying for Court approval of the dismissal. The Government understands that the relator has filed a notice voluntarily dismissing his claims in this action pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i). The Government consents to relator’s voluntary dismissal of his complaint, to the extent such dismissal is without prejudice to the Government, pursuant to 31 U.S.C. § 3730(b)(1), because the Government does not intend to pursue the allegations in the *qui tam* complaint at this time.

We thank the Court for its consideration of this request.

Respectfully,

DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York

By: /s/ Jacob M. Bergman

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